



**PATENT**

Case Docket No. TMIPRO.003A

Date: November 15, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Tuccinardi et al.  
App. No. : 10/765,464  
Filed : January 26, 2004  
For : PREFORMED FOAM  
SEATBACK WITH  
INTEGRAL OPENING

Group Art Unit : 3636

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 16, 2004

(Date)  


James W. Chang, Reg. No. 52,718

**TRANSMITTAL LETTER**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

11/22/2004 MBEYENE1 00000012 10765464  
01 FC:2255 1040.00 DP

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on May 3, 2004, enclosed are:

- (X) An executed Declaration by Inventors.
- (X) A Power of Attorney and copy of Assignment.
- (X) Thirteen (13) sheets of replacement drawings.
- (X) Information Disclosure Statement and PTO Form 1449 listing thirteen (13) references (no references enclosed).
- (X) An extension of time to respond for five (5) months is hereby requested.

Time Extension Fee:

- |                                  |              |                       |
|----------------------------------|--------------|-----------------------|
| <input type="radio"/>            | one month    | (\$55 small entity)   |
| <input type="radio"/>            | two months   | (\$215 small entity)  |
| <input type="radio"/>            | three months | (\$490 small entity)  |
| <input checked="" type="radio"/> | five months  | (\$1040 small entity) |

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- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A Notice to File Missing Parts.
- (X) Return prepaid postcard.
- (X) Fees as calculated below:

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FILING FEE		\$ 1268
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FEE FOR EXTENSION OF TIME (LARGE ENTITY)	four ( <del>5</del> ) months	\$ 2080
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SURCHARGE 37 CFR 1.16(e)		\$ + 130
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TOTAL OF ABOVE CALCULATIONS		\$ 3478
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REDUCTION BY ½ FOR FILING BY SMALL ENTITY.

Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached. \$ - 1739

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TOTAL FEES SUBMITTED HERewith		\$ 1739
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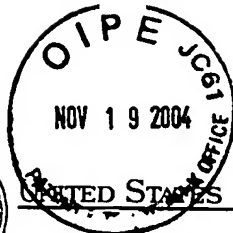
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- (X) A check in the amount of \$1739.00 to cover the above fees is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.



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James W. Chang  
Registration No. 52,718  
Agent of Record  
Customer No. 20,995  
(951) 781-9231



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/765,464	01/26/2004	Gene Tuccinardi	TMIPRO.003A

20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

CONFIRMATION NO. 8573

## FORMALITIES LETTER



\*OC000000012514771\*

Date Mailed: 05/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/22/2004 MBEYENE1 00000012 10765464

FILED UNDER 37 CFR 1.53(b)

02 FC:2001	395.00 OP
03 FC:2051	65.00 OP
04 FC:2201	176.00 OP
05 FC:2202	63.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 3A-5B.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$470** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

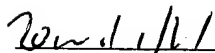
Total additional fee(s) required for this application is **\$1370** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$470**
  - **\$344** for 4 independent claims over 3.
  - **\$126** for 7 total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
                                                 Commissioner for Patents  
                                                 P.O. Box 1450  
                                                 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE